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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,503	11/06/2003	Seong-Wook Jeong	1572.1192	7651

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CRAWFORD, GENE O

ART UNIT PAPER NUMBER

3651

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/701,503

Applicant(s)

JEONG, SEONG-WOOK

Examiner

Gene O. Crawford

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/6/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 17-19, 21, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Holmes et al.

The refrigerator and dispenser to discharge objects and the method thereof disclosed by Holmes et al. includes all the claimed features and in particular includes: **(claims 1, 8, 21, 24)** a driving part 346; a switching part (i.e. target switch); a controller 326 controlling the driving part to operate after a lapse of a predetermined delay time since the switching part is turned on; **(claims 2, 9, 22)** controlling the driving part to stop as soon as the switching part is turned off (column 27, lines 65-67); **(claim 3)** opening a discharging hole when the switching part is turned on and closing the discharge hole after a lapse of a predetermined operating time since the switching part is turned off (figure 24, step 10); **(claims 4, 5)** controlling the driving part to operate as soon as the switching part is turned on again before a predetermined reset time passes since the switching part is turned off; **(claim 6)** the lapse of the predetermined operating time being determined after a last turning off of the switching part in response to the

switching part being turned on again during the predetermined operating time; **(claim 7)** controlling the driving part 346 to not operate in response to the switching part being turned off before the lapse of the predetermined delay time (column 27, lines 65-67); **(claim 17)** the driving part 346 being a motor; **(claim 18)** a motor relay operating the motor after a predetermined delay time (column 27, lines 20-27); a valve relay operating discharge opening (figure 24, step 14); and **(claim 19)** a microprocessor 326 controlling the motor relay and door relay and determining when the switching part is on or off; the controller 326 controls the driving part not to operate in response to the switching part being turned off before the lapse of the predetermined delay time.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-16, 20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes et al. in view of Buchser et al.

With regard to claims 10-16, 20 and 23, Holmes et al. includes all the claimed features but does not disclose the structure of the object dispenser. However, the recitation of the structure of the refrigerator such as the levers, solenoids, and pistons that make up the dispenser appears to be an obvious design choice and expedient in view of that the structures are notoriously well known and used in refrigerators using ice

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dispensers. For example, Buchser et al. discloses the broad teaching of providing a dispenser unit with discharge levers 44, solenoids connecting to shutter doors, and the driving part being a reciprocating piston. It would have been obvious to one of ordinary skill in the art to provide the dispenser of Holmes et al. include discharge levers, solenoid valves connected to the shutter door, and a driving part being a reciprocating piston such requiring the mere choice of an art recognized configuration for refrigerator ice dispensers as taught by Buchser et al.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following is cited to show the art with respect to refrigerator ice dispenser having a delay timer: Hoffman et al.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gene O. Crawford whose telephone number is 703/305-9733. The examiner can normally be reached on Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on 703/308-1113. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gene O. Crawford
Primary Examiner
Art Unit 3651
